



STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

September 27, 1988

Betty Zachmann
Winsted City Clerk
Winsted City Hall
Winsted, Minnesota 55395

Docket Number A-4512

Ordinance Number 88-07

City of Winsted

Dear Ms. Zachmann:

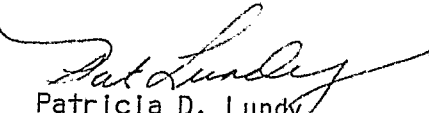
The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation ordinance must be filed with the Township Clerk, County Auditor, Secretary of State, and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.) We also recommend that you file the ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

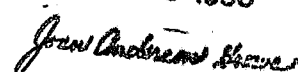

Patricia D. Lundy
Assistant Director

PDL:sg

cc: McLeod County Auditor
Winsted Township Clerk
Francis Eggert, Attorney at Law
Secretary of State

38461
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 3 1988


Secretary of State

Winsted

GENTY & EGGERT, P.A.

ATTORNEYS AT LAW
182 MAIN AVE. WEST
P.O. BOX 69
WINSTED, MINNESOTA 55395

**RICHARD D. GENTY
FRANCIS J. EGGERT**

TELEPHONE (612) 485-3811

September 20, 1988

CERTIFIED MAIL No. P 684 131 874
RETURN RECEIPT REQUESTED

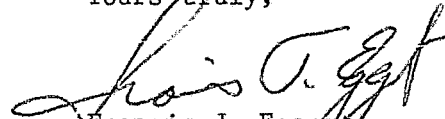
Secretary of State
180 State Office Building
St. Paul, Minnesota 55155

Re: Amended Petition of Scherping for
Annexation to the City of Winsted

Dear Secretary of State:

Find enclosed a copy of Amended Petition for Annexation of certain lands to the City of Winsted; copy of Waiver of Winsted Township Board consenting to said Annexation; and copy of City of Winsted Ordinance 88-07 adopting said Annexation.

Yours truly,



Francis J. Eggert
City Attorney
Winsted, Minnesota 55395

Encs.

The undersigned, is City Clerk of the City of Winsted, Minnesota and in such capacity, certifies that the attached Ordinance No. 88-07 is a true and correct copy of the original Ordinance on file and of record in the office of the City Clerk, City of Winsted, County of McLeod and State of Minnesota.

Dated: *Sept 20, 1988*

Betty Zachmann
Betty Zachmann, City Clerk

(SEAL)

ORDINANCE No. 88-07

AN ORDINANCE ANNEXING TO THE CITY OF WINSTED, MINNESOTA CERTAIN LAND IN WINSTED TOWNSHIP ABUTTING THE CITY, BEING A PART OF SECTION 2, TOWNSHIP 117 NORTH, RANGE 27 WEST, McLEOD COUNTY, MINNESOTA.

THE CITY COUNCIL OF WINSTED DOES ORDAIN:

Section 1. The City of Winsted having received an Amended Petition of Virgil Scherping (and consented by his wife, Elaine Scherping), the owner of certain lands hereinbelow described, which abut upon the present territorial limits of the City of Winsted, and the City Council of the City of Winsted desires to annex such lands so as to include said lands within the City of Winsted, County of McLeod and State of Minnesota and to further adopt an Ordinance annexing said land to the City of Winsted. Such parcel of land is located in Winsted Township, McLeod County, Minnesota and is contained in the tract of land described in Exhibit "A" which is attached to this Ordinance and incorporated herein by reference as though fully set forth in full.

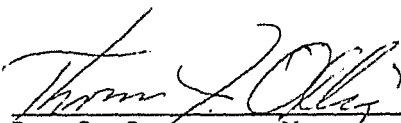
Section 2. The Mayor and Council of the City of Winsted do hereby determine that the land described in Section 1 above abuts upon the present territorial limits of the City of Winsted, and is urban in character, and the annexation of said land will be to the best interest of the City of Winsted and the territory affected.

Section 3. Therefore, the lands referred to in Section 1 above legally described in Exhibit "A" attached hereto, are hereby annexed, added to and made a part of the City of Winsted, as effectually as if it had originally been a part thereof.

Section 4. Repeal. Ordinance No. 88-06 is hereby repealed in its entirety and is of no further force and effect.

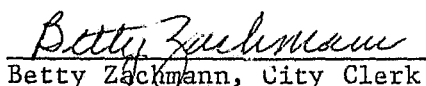
Section 5. This Ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Municipal Board, the Clerk of Winsted Township, the McLeod County Auditor and the Secretary of State of Minnesota.

Passed by the City Council this 19 day of September, 1988.



Don C. Guggemos, Mayor
By Thomas J. Ollig, Deputy Mayor

Attest:


Betty Zachmann, City Clerk

ANNEXATION DESCRIPTION

That part of the South Half of the Northeast Quarter of Section 2, Township 117, Range 27, McLeod County, Minnesota described as follows:

Beginning at the southwest corner of said South Half of the Northeast Quarter of Section 2; thence on an assumed bearing of South 89 degrees 29 minutes 00 seconds East along the south line of said South Half of the Northeast Quarter, a distance of 1012.63 feet; thence North 1 degree 24 minutes 00 seconds West, a distance of 444.00 feet; thence North 4 degrees 15 minutes 00 seconds West, a distance of 380.00 feet; thence North 15 degrees 00 minutes 00 seconds West, a distance of 122.50 feet; thence North 47 degrees 00 minutes 00 seconds West, a distance of 55.00 feet; thence North 69 degrees 00 minutes 00 seconds West, a distance of 69.00 feet; thence North 83 degrees 40 minutes 00 seconds West, a distance of 306.00 feet; thence South 88 degrees 00 minutes 00 seconds West, a distance of 129.00 feet; thence South 78 degrees 00 minutes 00 seconds West, a distance of 413.21 feet to the west line of said South Half of the Northeast Quarter of Section 2; thence on a bearing of South along said west line of the South Half of the Northeast Quarter of Section 2, a distance of 937.60 feet to the point of beginning, EXCEPTING THEREFROM the three (3) following described tracts:

- (1) Commencing at the southwest corner of said South Half of the Northeast Quarter; thence East along the south line of said South Half of the Northeast Quarter, 462.63 feet to the point of beginning of the tract to be described; thence North 0 degrees 30 minutes 23 seconds West, 241.70 feet; thence on a bearing of West, 192.63 feet to the east line of Lot 7 of MOY'S SHADY CREEK DRIVE ADDITION; thence South along the east line of Lots 7 and 6 and the southerly extension of Lot 6 to the south line of said South Half of the Northeast Quarter; thence East along said south line to the point of beginning.
- (2) MOY'S SHADY CREEK DRIVE ADDITION
- (3) MOY'S SHADY CREEK DRIVE SECOND ADDITION

This tract contains 17.0 acres of land and is subject to right-of-way in existing highway and subject to any and all easements of record.

STATE OF MINNESOTA

COUNTY OF McLEOD

AMENDED PETITION FOR ANNEXATION

TO THE CITY OF WINSTED, McLEOD COUNTY, MINNESOTA:

I.

The Petitioner herein hereby amends the Petition for annexation which he previously filed with the City of Winsted, McLeod County Auditor, Winsted Town Board, and State of Minnesota Municipal Board since the Winsted Town Board has consented to the annexation of the premises legally described in Exhibit "A" hereto attached and made a part hereof as though fully set forth in full. Your Petitioner hereby amends said above mentioned Petition which was dated July 22, 1988 such that the legal description which he petitioned for annexation is as stated on Exhibit "A" attached hereto, rather than the legal description contained in said Petition dated July 22, 1988.

II.

That said lands described in the preceding paragraph abut the present corporate limits of the City of Winsted. The said lands are unplatted and are less than 18 acres in size. The said lands are not now included in any other municipality. No petition for annexation of any part of said lands is presently before the the commission, except for the Petition of the undersigned Petitioner dated July 22, 1988. The undersigned Petitioner constitutes the sole landowner and party having an interest in said lands.

III.

The undersigned Petitioner believes that said lands are now or about to become urban or suburban in character and that the annexation of said lands to the City of Winsted would be in the best interest of the City of Winsted.

IV.

This Petition is brought pursuant to Minnesota Statutes, Section 414.033, Subd.

WHEREFORE, PETITIONER PRAYS:


I.

That said annexation be approved by the authorities prescribed by Law.

II.

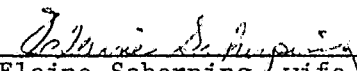
That the City of Winsted annex said premises by Ordinance as provided by Law.

Dated at Winsted, Minnesota this 13 day of September, 1988.



Virgil J. Scherping

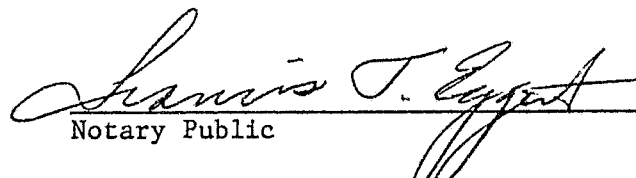
I hereby consent to the above Amended Petition.



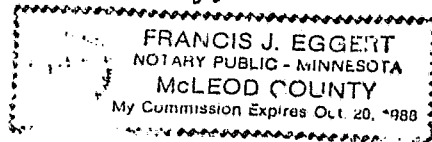
Elaine Scherping, wife of Virgil J. Scherping

STATE OF MINNESOTA)
) ss.
COUNTY OF McLEOD)

On this 13 day of September, 1988, before me, a Notary Public, within and for said County and State, personally appeared Virgil J. Scherping and Elaine Scherping, husband and wife, personally known to me to be the same persons described in and who executed the foregoing AMENDED PETITION, and acknowledged that they executed the same as their free act and deed.



Notary Public



(1)

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MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
7th & Robert Streets
Saint Paul, Minnesota 55101

Re: MMB Docket Number A-4512

Proposed Annexation to the City of Winsted

Gentlemen:

The Town Board of Winsted Township, Mahead County
pursuant to a resolution duly adopted by the town board on Sept 15, 1988 hereby
(Date)
states that Winsted Township has no objection to the annexation of
the following described land to the City of Winsted and hereby waives the
90 days before a city ordinance can be adopted.

(INSERT PROPERTY DESCRIPTION AND PROPERTY OWNERS NAME)

Scherping Amended
Petition

Date

Sept 15, 1988

Signature

Dwain M. B. Mace

PLEASE NOTE: WAIVERS SHOULD BE FILED WITH THE CITY

(REV. 3/83)

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38461
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 3 1988
John Anderson
Secretary of State

EXHIBIT "A"